

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	NO. 05-440-08
TIMOTHY BAUKMAN	:	

**ORDER**

**AND NOW**, this 10<sup>th</sup> day of March 2022, upon consideration of Defendant Timothy Baukman's Habeas Corpus Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside, Or Correct Sentence By A Person In Federal Custody (ECF No. 1682), and all papers and exhibits submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

- A. Defendant's Motion is **GRANTED** with respect to his request for an evidentiary hearing as to whether counsel was ineffective by allegedly failing to inform Defendant of his possible sentences and ability to enter a plea of guilty.
- B. Defendant's Motion is **GRANTED** with respect to his request for an evidentiary hearing as to whether counsel's decision not to introduce the film *Menace* into evidence was ineffective assistance of counsel.
- C. Defendant's Motion is **DENIED** with respect to all other requests.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ R. Barclay Surrick  
**R. BARCLAY SURRICK, J.**